

BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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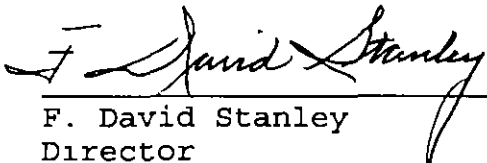
|                                   |   |                        |
|-----------------------------------|---|------------------------|
| IN THE MATTER OF THE LICENSE OF   | : |                        |
| SUZANNE AUER COOPER               | : | DEFAULT ORDER          |
| TO PRACTICE AS A REGISTERED NURSE | : |                        |
| IN THE STATE OF UTAH              | : | Case No. DOPL-2008-247 |

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The attached Notice of Entry of Default and Recommended Order are hereby adopted by the Director of the Division of Occupational and Professional Licensing of the State of Utah Respondent's license to practice as a registered nurse is thus revoked, effective the date of this Order.

IT IS FURTHER ORDERED that the revoked license, both wall and wallet sizes, as well as any embossed certificate, thus be surrendered to the Division of Occupational and Professional Licensing.

Dated this 15 day of December, 2008.

  
F. David Stanley  
Director

S E A L

Pursuant to Subsection 63G-4-209(3), Respondent may seek to set aside the above-stated default order by filing such a request with the Division consistent with the procedures outlined in the Utah Rules of Civil Procedure.

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|-----------------------------------|---|--------------------------|
| IN THE MATTER OF THE LICENSE OF   | . | <b>NOTICE OF ENTRY</b>   |
| <b>SUZANNE AUER COOPER</b>        | . | <b>OF DEFAULT AND</b>    |
| TO PRACTICE AS A REGISTERED NURSE | : | <b>RECOMMENDED ORDER</b> |
| IN THE STATE OF UTAH              | : | Case No. DOPL-2008-247   |

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**BY THE ADMINISTRATIVE LAW JUDGE:**

This adjudicative proceeding was initiated pursuant to the issuance of an October 27, 2008 notice of agency action. The notice recites Respondent was required to file a response within thirty (30) days of the mailing date of the notice.

The October 27, 2008 notice was sent to Respondent's last known address by both first class mail and certified mail on October 27, 2008. That notice was thus received at that address on November 4, 2008. L. Mitchell Jones, counsel for the Division of Occupational and Professional Licensing, was contacted by telephone on November 25, 2008 by a Peter Vetecnik. Mr. Vetecnik stated he is Respondent's husband, he is currently divorcing Respondent and she has fled this state with her daughter.

Respondent has not filed a response to the October 23, 2008 Petition. The Division filed a December 8, 2008 motion for entry of Respondent's default based on her failure to have filed a response. Utah Code Ann. §63G-4-209(1)(c) provides an order of

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default may enter if a respondent in a formal adjudicative proceeding fails to file a response

Given Respondent's failure to have filed a response to the October 23, 2008 Petition, the Court concludes a proper basis exists to enter Respondent's default and it is so entered. After the entry of a default order, §63G-4-209(4)(a) provides the presiding officer shall conduct further proceedings as necessary to complete the adjudicative proceeding without the participation of the party in default. §63G-4-209(4)(a) also provides a determination shall be made of all issues in the adjudicative proceeding, including those affecting the defaulting party.

The Court thus adopts the allegations set forth in Paragraphs 3 through 6 of the October 23, 2008 Petition as its Findings of Fact. The Court also adopts Paragraphs 12 through 20 as its Findings of Fact and Conclusions of Law.

Specifically, the Court concludes Respondent has engaged in unprofessional conduct because she unlawfully obtained, possessed and used controlled substances, she was thus either impaired or could reasonably be considered to have been impaired in her ability to safely practice nursing and Respondent either practiced as a nurse or attempted to do so while physically or mentally unfit.

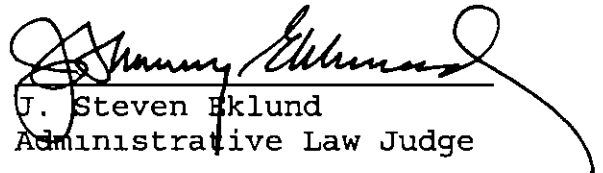
The Court thus concludes a proper factual and legal basis exists to enter a disciplinary sanction as to Respondent's

license. Absent any matters offered in defense or mitigation,  
the Court concludes the following Recommended Order is warranted.

**RECOMMENDED ORDER**

WHEREFORE, IT IS ORDERED Respondent's license to practice as  
a registered nurse in this state shall be revoked, effective the  
date this Recommended Order may be adopted

I hereby certify the foregoing Notice of Entry of Default,  
Findings of Fact, Conclusions of Law and Recommended Order were  
submitted to F. David Stanley, Director of the Division of  
Occupational and Professional Licensing, on the 11<sup>th</sup> day of  
December, 2008 for his review and action.

  
J. Steven Eklund  
Administrative Law Judge